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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 ALICIA BUSTILLOS,

13 Plaintiff,

14 vs.

15 KEY INSURANCE COMPANY: KEY  
 16 INSURANCE LLC, a limited liability company  
 17 DOE INDIVIDUALS I-X, inclusive, and  
 18 ROE CORPORATIONS I-V, inclusive,

19 Defendants,

20 CASE NO.: 2:23-CV-01664-CDS-EJY

21 **[PROPOSED] 2<sup>nd</sup> AMENDED JOINT  
 22 DISCOVERY PLAN AND  
 23 SCHEDULING ORDER  
 24 SUBMITTED IN COMPLIANCE  
 25 WITH LOCAL RULES 26-1(b)**

26 Plaintiff, ALICIA BUSTILLOS, and Defendant, KEY INSURANCE COMPANY  
 27 (hereinafter Key Insurance), by and through their undersigned counsel hereby submit the  
 28 Amended Proposed Stipulated Discovery Plan and Scheduling Order pursuant to Local Rule 26-1(b). This proposed plan is submitted in compliance with LR 26-1(b).

29 This action was initiated in the Eighth Judicial District Court on August 25, 2023. An  
 30 Answer was filed with this court on February 12, 2024, and a Petition for Removal from the  
 31 State Court was filed on October 13, 2023.

32 Pursuant to Fed. R. Civ. P. 26(f) and LR16-14, on 04/04/2024, counsel for the parties met  
 33 and conferred regarding the Discovery deadlines in the above-captioned matter. Andrew M.  
 34 Leavitt, Esq. of the Law Office of Andrew M. Leavitt, Esq., appeared on behalf of the Plaintiff,  
 35 ALICIA BUSTILLOS; Philip Goodhart, Esq., of the Thorndal Armstrong, PC. appeared on

1 behalf of the Defendant, KEY INSURANCE during the conference, counsel for the parties  
 2 discussed and agreed upon the following. The parties now submit their proposed discovery plan  
 3 and scheduling order in compliance with LR 26-1(b).

4 **PROPOSED SCHEDULE**

5 1. The defendant answered on February 12, 2024. The discovery cutoff date is August 9,  
 6 2024.

7 2. Motions to amend, or to add parties, shall be filed and served on or before 05/11/2024;

8 3. Expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made on or before  
 9 06/10/2024;

10 4. Rebuttal expert disclosures shall be made on or before 07/10/2024;

11 5. Dispositive motions shall be filed and served on or before 09/09/2024;

12 6. The Joint-Pre-trial Order shall be filed on or before 10/09/2024. In the event dispositive  
 13 motions are filed, the date for filing the Joint-Pre-trial Order shall be suspended until 30 days  
 14 after the decision on the dispositive motions or further Order of the Court (LR 26-1(E)(5));

15 7. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be  
 16 included in the pretrial order; and

17 8. Alternative Dispute Resolution. The parties certify that they met and conferred about the  
 18 possibility of using alternative dispute-resolution processes including mediation, arbitration, and  
 19 if applicable, early neutral evaluation.

20 9. Alternative Forms of Case Disposition. The parties certify that they considered consent  
 21 to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the  
 22 Short Trial Program (General Order 2013-01).

23 10. Electronic Evidence. The parties certify that they discussed whether to present evidence  
 24 in electronic format to jurors for the purpose of jury deliberations.

11. Any request to extend the dates set forth in this Discovery Plan and Scheduling Order  
1 shall be submitted to the Court not later than 21 days before the expiration of the subject  
2 deadline sought to be extended.

4 **INITIAL DISCLOSURES AND DISCOVERY**

5 The parties anticipate having their initial disclosures delivered to each other within  
6 fourteen days after the submission of this Proposed Discovery Plan.

7 Objections will be filed within 10 days thereafter, if any. (Fed. R. Civ. P. 26(f)(3)(A)).

9 The parties anticipate conducting written discovery and depositions on all issues allowed  
10 under the Federal Rules of Civil Procedure. (Fed. R. Civ. P. 29(f)(3)(B)).

11 There are currently no issues which parties are aware of regarding discovery of  
12 electronically stored information or claims of privilege/protection of trial preparation materials.  
13 (Fed. R. Civ. P. 26(f)(3)(E-F)).

14 DATED this 29 day of April 2024.

15 DATED this 29 day of April, 2024.

16 Law Office of  
17 ANDREW M. LEAVITT, ESQ.

18 THORNDAL ARMSTRONG, PC

19 /s/ Andrew M. Leavitt  
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Attorney for Defendant.

26 **IT IS SO ORDERED this 29th day of April, 2024.**

27   
28 **UNITED STATES MAGISTRATE**